

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FEMTOMETRIX INC,

Plaintiff,

v.

CHONGJI HUANG, et al.,

Defendants.

Case No. [23-mc-80332-TSH](#)

ORDER RE MOTION TO SEAL

Re: Dkt. No. 5

On December 29, 2023, Defendants Weichong Semiconductor Group, Chongji Huang, Puxi Zhou, and Weiwei Zhao filed an administrative motion to consider whether another party's materials should be sealed. ECF No. 5. The motion stated that Plaintiff FemtoMetrix, Inc. had designated the materials as confidential in the underlying dispute, *FemtoMetrix Inc. v. Chongji Huang et al*, Case No. 8:22-CV-01624-CJC-KES (C.D. Cal.). *Id.* Under Civil Local Rule 79-5(f)(3), FemtoMetrix had seven days to file a statement or declaration to support a request to seal. The rule further provides that "[a] failure to file a statement or declaration may result in the unsealing of the provisionally sealed document without further notice to the Designating Party." *Id.*

As the designating party, FemtoMetrix was required pursuant to Civil L.R. 79-5(f)(3) to file a declaration by January 5, 2024 establishing that all the designated information is sealable. It failed to do so. Accordingly, the motion to seal is **DENIED**. The Court **ORDERS** Defendants to file the materials at issue in the public record no sooner than five days and no later than ten days from the date of this order.

IT IS SO ORDERED.

Dated: January 9, 2024


THOMAS S. HIXSON
United States Magistrate Judge